



**Tennessee Department of Environment and Conservation**  
**Division of Water Pollution Control**  
**Mining Section**  
**3711 Middlebrook Pike**  
**Knoxville, Tennessee 37921-6538**  
**PHONE (865) 594-6035 FAX (865) 594-5253**

**Public Participation Opportunities**

**September 17, 2008**

**Public Notice M2008-16**

**Last Day to Submit Comments: October 20, 2008**

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

**Individual NPDES Permits**

***Coal Proposed Reissuance***

|                         |   |
|-------------------------|---|
| Applicant               | <b>LCC Tennessee, LLC</b>                             |
| Facility                | <b>Patterson Mountain Area 3</b>                      |
| NPDES Permit Number     | <b>TN0071757</b>                                      |
| County                  | Anderson  |
| Street Address          | New River Highway (State Route 116)                   |
| City                    | Devonia   |
| Zip                     | 37728   |
| Description of Activity | Surface coal mine and reclaimed underground coal mine |
| Receiving Streams       | New River and Double Camp Creek                       |
| Effluent Description    | Treated wastewater and storm water                    |
| Facility Latitude       | 36°08'37"   |
| Facility Longitude      | 84°21'20"   |
| Permit Writer           | MRR   |

***Coal Proposed Modification/Reissuance***

|                         |                                     |
|-------------------------|-------------------------------------|
| Applicant               | <b>National Coal Corporation</b>    |
| Facility                | <b>Mine 1</b>                       |
| NPDES Permit Number     | <b>TN0071510</b>                    |
| County                  | Anderson                            |
| Street Address          | New River Highway (State Route 116) |
| City                    | Devonia                             |
| Zip                     | 37728                               |
| Description of Activity | Reclaimed underground coal mine     |
| Receiving Stream        | Wet weather conveyance to New River |
| Effluent Description    | Treated wastewater and storm water  |
| Facility Latitude       | 36°09'00"                           |
| Facility Longitude      | 84°25'07"                           |
| Permit Writer           | MRR                                 |

***Non-Coal Proposed Issuance***

|                         |                                     |
|-------------------------|-------------------------------------|
| Applicant               | <b>Mill Creek Machine Cut Stone</b> |
| Facility                | <b>Saw-Shed Facility</b>            |
| NPDES Permit Number     | <b>TN0069213</b>                    |
| County                  | Putnam                              |
| Street Address          | 8425 Mill Creek Road                |
| City                    | Monterey                            |
| Zip                     | 38574                               |
| Description of Activity | Saw-Shed                            |
| Receiving Stream        | Mill Creek                          |
| Effluent Description    | Treated wastewater and storm water  |
| Facility Latitude       | 36°05'17"                           |
| Facility Longitude      | 85°20'06"                           |
| Permit Writer           | MES                                 |

***Non-Coal Proposed Reissuance***

|                         |  |
|-------------------------|--|
| Applicant               | <b>Vulcan Construction Materials, LP</b>   |
| Facility                | <b>Parsons Quarry</b>                      |
| NPDES Permit Number     | <b>TN0027782</b>                           |
| County                  | Decatur                                    |
| Street Address          | 150 Rock Crusher Lane                      |
| City                    | Parsons                                    |
| Zip                     | 38363                                      |
| Description of Activity | Limestone mining and processing            |
| Receiving Stream        | Unnamed tributary to Short And Dirty Creek |
| Effluent Description    | Treated wastewater and storm water         |
| Facility Latitude       | 35°41'15"                                  |
| Facility Longitude      | 88°06'15"                                  |
| Permit Writer           | KBG  |

***Non-Coal Proposed Modifications***

|                         |  |
|-------------------------|--|
| Applicant               | <b>Rogers Group, Inc.</b>                          |
| Facility                | <b>Lawrenceburg Quarry</b>                         |
| NPDES Permit Number     | <b>TN0057967</b>                                   |
| County                  | Lawrence   |
| Street Address          | 2690 Waynesboro Highway                            |
| City                    | Lawrenceburg                                       |
| Zip                     | 38464  |
| Description of Activity | Limestone mining and processing with asphalt plant |
| Receiving Stream        | Crowson Creek                                      |
| Effluent Description    | Treated wastewater and storm water                 |
| Facility Latitude       | 35°16'25"  |
| Facility Longitude      | 87°23'10"  |
| Permit Writer           | KBG  |

**A Notice of Determination of No Degradation** for treated wastewater discharges from this facility accompanies this public notice.

Applicant **Rogers Group, Inc.**  
Facility **Rutherford County Quarry**  
NPDES Permit Number **TN0066150**  
County Rutherford  
Street Address 5920 Burnt Knob Road  
City Murfreesboro  
Zip 37129  
Description of Activity Limestone mining and processing  
Receiving Stream Wet weather conveyance to Stewart Creek  
Effluent Description Treated wastewater and storm water  
Facility Latitude 35°52'50"  
Facility Longitude 86°32'00"  
Permit Writer KBG

Applicant **Vulcan Construction Materials, LP**  
Facility **Franklin Quarry**  
NPDES Permit Number **TN0027774**  
County Williamson  
Street Address 1001 Downs Boulevard  
City Franklin  
Zip 37217  
Description of Activity Limestone mining and processing  
Receiving Streams Sparks Creek, unnamed tributary to Harpeth River  
Effluent Description Treated wastewater and storm water  
Facility Latitude 35°54'34"  
Facility Longitude 86°53'30"  
Permit Writer KBG

***Non-Coal Proposed Modification and Reissuance***

Applicant **Vulcan Construction Materials, LP**  
Facility **River Road Quarry**  
NPDES Permit Number **TN0003549**  
County Davidson  
Street Address 5853 River Road  
City Nashville  
Zip 37209  
Description of Activity Limestone mining and processing  
Receiving Streams Overall creek embayment and unnamed tributary to Overall Creek  
Effluent Description Treated wastewater and storm water  
Facility Latitude 36°07'51"  
Facility Longitude 86°55'02"  
Permit Writer SJT  
**A Notice of Determination of No Degradation** for treated wastewater discharges from this facility accompanies this public notice.

***Non-Coal Proposed Revocation and Reissuances***

|                         |  |
|-------------------------|--|
| Applicant               | <b>Aggregates USA, LLC</b>                       |
| Facility                | <b>Elizabethton Quarry</b>                       |
| NPDES Permit Number     | <b>TN0068977</b>                                 |
| County                  | Carter   |
| Street Address          | 210 Judge Ben Allen Road                         |
| City                    | Elizabethton                                     |
| Zip                     | 37643  |
| Description of Activity | Limestone mining and processing                  |
| Receiving Stream        | Davis Branch                                     |
| Effluent Description    | Treated wastewater and storm water               |
| Facility Latitude       | 36°22'54.3"                                      |
| Facility Longitude      | 82°10'57.3"                                      |
| Permit Writer           | KBG  |
|                         |  |
| Applicant               | <b>Aggregates USA, LLC</b>                       |
| Facility                | <b>Tri-Cities Airport Quarry</b>                 |
| NPDES Permit Number     | <b>TN0027588</b>                                 |
| County                  | Sullivan   |
| Street Address          | 736 Centenary Road                               |
| City                    | Blountville                                      |
| Zip                     | 37617  |
| Description of Activity | Limestone mining and processing                  |
| Receiving Stream        | Unnamed tributary to South Fork of Holston River |
| Effluent Description    | Treated wastewater and storm water               |
| Facility Latitude       | 36°29'12.6"                                      |
| Facility Longitude      | 82°26'18.3"                                      |
| Permit Writer           | KBG  |

***Non-Coal Proposed Terminations***

|                         |   |
|-------------------------|---|
| Applicant               | <b>H. C. Spinks Clay Company, Inc.</b>              |
| Facility                | <b>Mine 17 – Young</b>                              |
| NPDES Permit Number     | <b>TN0030520</b>                                    |
| County                  | Henry   |
| Street Address          | 1340 Highway 140 South                              |
| City                    | Como  |
| Zip                     | 38223   |
| Description of Activity | Reclaimed ball clay mining facility                 |
| Receiving Stream        | Unnamed tributary to Middle Fork of the Obion River |
| Effluent Description    | Treated wastewater and storm water                  |
| Facility Latitude       | 36°14'44"   |
| Facility Longitude      | 88°30'43"   |
| Permit Writer           | JPJ   |

|                         |   |
|-------------------------|---|
| Applicant               | <b>White County Highway Department</b>  |
| Facility                | <b>White County Rock Quarry</b>   |
| NPDES Permit Number     | <b>TN0065757</b>  |
| County                  | White   |
| Street Address          | 1900 Roberts Matthews Highway   |
| City                    | Sparta  |
| Zip                     | 38583   |
| Description of Activity | Quarry and rock crushing activity concluded. Remaining industrial activities involving equipment storage and stock pile material will be covered under Tennessee's Storm Water Multi-Sector General Permit (TMSP) |
| Receiving Stream        | Karst topography near Rum Creek   |
| Effluent Description    | Treated wastewater and storm water  |
| Facility Latitude       | 35°59'18"   |
| Facility Longitude      | 85°29'43"   |
| Permit Writer           | JPJ   |

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at [Gary.Mullins@state.tn.us](mailto:Gary.Mullins@state.tn.us). Comments must be received by the end of comment period date (see page 1).

### **How to Request a Public Hearing:**

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

### **How the Department Will Proceed:**

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

### **To Obtain Permit Details:**

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email [Tina.E.Jones@state.tn.us](mailto:Tina.E.Jones@state.tn.us) or call (865) 594-5616 to schedule an appointment for the review(s).

#### List of Permit Writers

|            |                             |                     |  |
|------------|-----------------------------|---------------------|--|
| <b>KBG</b> | <b>Kristen Gettelfinger</b> | <b>865-594-5545</b> | <a href="mailto:Kristen.Gettelfinger@state.tn.us">Kristen.Gettelfinger@state.tn.us</a> |
| <b>JPJ</b> | <b>Jesse Jones</b>          | <b>865-594-5543</b> | <a href="mailto:Jesse.P.Jones@state.tn.us">Jesse.P.Jones@state.tn.us</a>               |
| <b>GWM</b> | <b>Gary Mullins</b>         | <b>865-594-5536</b> | <a href="mailto:Gary.Mullins@state.tn.us">Gary.Mullins@state.tn.us</a>                 |
| <b>MRR</b> | <b>Micheal Robbins</b>      | <b>865-594-5542</b> | <a href="mailto:Micheal.Robbins@state.tn.us">Micheal.Robbins@state.tn.us</a>           |
| <b>MES</b> | <b>Michael Swanger</b>      | <b>865-594-5585</b> | <a href="mailto:Michael.Swanger@state.tn.us">Michael.Swanger@state.tn.us</a>           |
| <b>SJT</b> | <b>Steven Turaski</b>       | <b>865-594-5584</b> | <a href="mailto:Steven.Turaski@state.tn.us">Steven.Turaski@state.tn.us</a>             |
| <b>DAT</b> | <b>Dave Turner</b>          | <b>865-594-5541</b> | <a href="mailto:Dave.Turner@state.tn.us">Dave.Turner@state.tn.us</a>                   |

### ***State of Tennessee Antidegradation Policy***

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

### **State of Tennessee Policy of Non-Discrimination**

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).